

Robert E. Boone III (California Bar No. 132780)
reboone@bclplaw.com
BRYAN CAVE LEIGHTON PAISNER LLP
120 Broadway, Suite 300
Santa Monica, CA 90401-2386
Telephone: (310) 576-2100
Facsimile: (310) 576-2200

Attorneys for Defendants
AMP PLUS, INC. d/b/a Elco Lighting
And Elco Lighting, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DMF, Inc., a California corporation,
Plaintiff,

v.

AMP PLUS, INC., d/b/a ELCO
LIGHTING, a California corporation;
ELCO LIGHTING, INC., a California
corporation,

Defendants.

AMP PLUS, INC., d/b/a ELCO
LIGHTING, a California corporation;

Counterclaimant,

v.

DMF, Inc., a California corporation,

Counter-Defendant.

Case No. 2:18-cv-07090-CAS-GJS

[Hon. Christina A. Snyder]

**REPORT / DECLARATION OF
SAEED "STEVE" COHEN RE
DEFENDANTS' COMPLIANCE
WITH THE COURT'S MARCH 8,
2019 PRELIMINARY INJUNCTION
ORDER**

BRYAN CAVE LEIGHTON PAISNER LLP
120 BROADWAY, SUITE 300
SANTA MONICA, CA 90401-2386

1 I, Saeed "Steve" Cohen, declare as follows:

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3 1. I am the President of AMP Plus, Inc. dba ELCO Lighting ("ELCO") and
4 of Elco Lighting, Inc. ("ELI") (collectively, "Defendants"). I provide this report and
5 declaration pursuant to the Court's Minute Order Granting Plaintiff DMF, Inc.'s
6 Motion for Preliminary Injunction, entered on March 8, 2019 (the "Order" or
7 "Preliminary Injunction"). I have personal knowledge of the matters contained herein.
8 If called as a witness in this action, I could and would testify to these matters.

9 2. Defendants have done the following to comply with the Preliminary
10 Injunction:

11 a. On March 12, 2019, ELCO stopped filling orders for or shipping
12 ELL modules, model nos. ELL0827, ELL0830, ELL0835, ELL0840, ELL08SD,
13 ELL1127, ELL1130, ELL1135, ELL1140 and ELL11SD (the "subject ELL
14 modules"). These are the only ELL modules with the driver inside the casting. ELCO
15 has cordoned off its on-hand inventory of the subject ELL modules inside its
16 warehouse in Vernon, California, so that the inventory will not be sold or shipped.
17 That is the only place where ELCO has inventory of the subject ELL modules. The
18 inventory consists of the following quantities of units of each model:

Model No.	Quantity on hand
ELL0827	1,190
ELL0830	1,380
ELL0835	55
ELL0840	461
ELL08SD	438
ELL1127	2,123
ELL1130	1,867
ELL1135	880

ELL1140	118
ELL11SD	476

b. On March 12, 2019, ELCO stopped selling or offering for sale the subject ELL modules. On March 13, 2019, ELCO removed all references to, images of, and information about the subject ELL modules from ELCO's website.

c. On March 12, 2019, I advised all ELCO sales employees of the Preliminary Injunction and that ELCO cannot sell or offer for sale the subject ELL modules.

d. ELCO has stopped distributing marketing materials that contain information about the subject ELL modules. ELCO sales personnel have been instructed to redact information about the subject ELL modules from any marketing materials and product literature that contain information regarding any of those modules and other ELCO products, such as ELCO's product catalogs, by removing those pages from the catalogs or blacking out / covering up the references to the subject ELL modules with a solid adhesive tape, before those materials are disseminated outside the company.

e. ELCO has emailed and/or faxed written instructions to its distributors and outside sales representatives to immediately stop selling and/or promoting the subject ELL models, and to not display or distribute ELCO catalogs that contain information regarding these models.

f. ELCO has verified that it does not have any current or future advertisements for the subject ELL modules in any publication or trade magazine.

g. On March 11, 2019, ELCO sent written notice to its manufacturer of the subject ELL modules, instructing the manufacturer to (a) cease manufacturing the subject ELL modules immediately; and (b) cease importing any finished modules to the U.S.

1 h. ELCO also has canceled any pending orders of the subject ELL
2 modules from the manufacturer.

3 i. ELCO has canceled any shipments of the subject ELL modules
4 into the U.S.

5 j. ELCO has stopped distributing any samples of the subject ELL
6 modules to distributors or outside sales representatives.

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8 I declare under penalty of perjury under the laws of the United States of
9 America and the State of California that the foregoing is true and correct.

10 Executed this 22nd day of March 2019, at Vernon, California.

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12 By: 
13 Saeed "Steve" Cohen
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